

Andrew J. Moore  
7107 Broadway Ave  
Lemon Grove Ca 91945

FILED

07 OCT 31 PM 4: 19

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

People of the State of  
California

plaintiff

vs.

Andrew J. Moore

Defendant/ Respondents

) Case No.: 07CV2059 JM  
)  
) NOTICE OF AFFIDAVIT  
) IN SUPPORT OF MOTION FOR  
) SUMMARY JUDGMENT AND  
) Alternative order to show cause.

) Supported by Andrew J. Moore  
) Foreign African National  
)  
)

**Statement of Understanding**

Motion for Summary Judgment or summary adjudication, the burden is always on the moving party to show there is no triable issue of material fact. When the moving party who has no standing, The People of the state of California/ Fictitious Plaintiff, who is moving in a Contempt of Court Proceeding ( Corporation Move Against a Real Party/Foreign African National) the burden is to display that there is no perpetration of fraud of legislature by showing the title, and the bonded statutes by legislature/ enacting clause and a verified complaint rather than a sham information / complaint requesting for discovery, etc.. Until this is done,

1 the defendant has no burden to produce opposing evidence or to  
2 disprove anything at all... (231 CA. 3d 338, citing Hayward  
3 Union High School District v. Madrid (1965). 234 C.a. 2d 396,  
4 Following United Community Church.  
5

6 **Worrier**

7 The Respondents **Andrew J. Moore, a Foreign State National,**  
8 **None Accommodating Party/None -U S. Corporate Federal Employee**  
9 **of the United States nor aka Citizen of the United States nor**  
10 **its Created State agencies / Extra-territory Reservation Border**  
11 **of the District of Columbia, hereby filed this Motion for**  
12 **Summary Judgment in Favor The Respondent Andrew J. Moore who**  
13 **successfully challenge the fictitious Plaintiff Spurious Sham.**

14 The Ultimate Fact pursuant, their Exist **Three Branch's of**  
15 **Government mentioned in the National Constitution. The Executive**  
16 **Branch of Government was given only Administrative Power,**

17 **-only the Judicial Branch of Government was Granted Executive**  
18 **order by way of a Article III Court and has Power to Prosecute.**

19 **Not to Mention No Administrative Judicial officer of the Peace**  
20 **has been Appointed as a Article III Judge, and he further Knew**

21 **or should have Known State Court has no Appointment of Article**

22 **III Judges, nor is Superior Court a Article III Court, only a**

23 **Legislative Court that operates under Maritime law, and doesn't**

24 **Recognize the 7<sup>th</sup> Amendment of the U. S. Constitution, that**

25 **grants any controversy over \$20 pursuant to the rules of the**

26 **common law of England, not Maritime law, nor is there any.**

27 **Executive Order delegated to California State Constitution which**  
28 **was Repealed in 1879 and Never Ratified, the Affirmative Fact**

1 the Respondent has reason to believe each day, as long as  
2 Superior Court doors are open , Mix Domestic War has/will  
3 continue to be declared on the people And the General Public at  
4 Large , a direct violation of the law of the Nations / The  
5 Geneva Convention which Prohibits crime against humanity and  
6 slavery into a maritime Silent contract of Affreightment, and  
7 the Ultimate fact the General Public at Large are in Jeopardy  
8 since 1879 due to operation under color of office and State law-  
9 **Enforcing EX POST FACTO LAWS A NON-CONSTITUTIONAL LAW(the Penal**  
10 **Code)** which has no enforcement Act, No Enacting Clause, nor has  
11 Legislative or Congress Written it. **Article 1 section 10**  
12 **prohibits Ex Post Facto Laws** and their Exists No Executive Order  
13 for said Corporation's door to continue to be open, Pursuant to  
14 the Civil Right's Act of the 1863's are Acts and rights of the  
15 Government (Including the U. S. Constitution). I **Andrew J. Moore**  
16 **a Foreign African National is not a party to the Constitution**  
17 **for the united States of America, for this reason I adopted the**  
18 **special-choice-of- law -Rule, under Treaties of the United**  
19 **Nations.** Further adoption of law of the Nations and the World  
20 Constitution - The Universal Declaration of Human Rights, the  
21 International Bill of Rights( Written by Former President Jimmy  
22 Carter)or Reservation of Rights under the Geneva Convention  
23 which Prohibit Crimes Against Humanity and Genocide, as State  
24 court administrative Judicial officer of the Peace , etc.

25 (b)Informal Request for  
26 Discovery aka Affidavit of Obligation , and 24hrs Challenge  
27 under Title 5 566 (d) of Elective Official Bonnie M. DUMMANIS  
28 to Display the Burden of Proof , Sign under their full

1 Commercial Liability, under the Penalty of Perjury along with  
2 Hazard Bond Number and Address and said exhibit of Claim  
3 submitted to Hazard Bond, for it's a Felony if the District  
4 Attorney fails to submit a Valid Claim, and Judicial Notice  
5 Elective Official Bonnie M. DUMANIS failure to give full  
6 disclosure (1) Freedom of Information Act, Contract of  
7 Affrieghtment under the Gold Fringe Flag of War, Army  
8 Regulation 840-10 -and Identify what is the True Name of the  
9 Creditor's and who the Debtor's etc. (2) Elective Official  
10 Bonnie M. Dumanis failed to give full Disclosures of Contracts  
11 and How a Claim of Relief Can be Granted?  
12 (3) Further Judicial Notice of Elective Official Bonnie M.  
13 Dumanis Abandoned the Battle Field By Non-Rebuttal of the Above  
14 Mentioned, which forced default after 72 hrs of Service to the  
15 Criminal Division of the City Attorney. As a Spurious Attempt to  
16 Avoid being Served, further Evidence of **Judicial Oversight/Bias**  
17 **by one Victor Morel detective/officer** who submitted the spurious  
18 Information / Maritime Claim under the Color of office and State  
19 law , Unethical Outrageous Behaviours made by another Non Valid  
20 Warrant less **arrest of the Defendant while he was acting as/ in**  
21 **Process Service, the Warrant less Arrest made in front of the DA**  
22 **secretary after service to One of the District Attorney's**  
23 **offices: 220 W Broadway, San Diego California.**

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25  
26 (c) CAVEAT Judicial Notice to  
27 the Chief Clerk of the State Court, who/for Commercial  
28 Dishonour by Refusal to (Set-off) for Deposit to the Treasury  
Department in Washington D.C. under my Exemption #I. D. Number,

1 Special Maritime Extra-territory Judicial Claim / Which I  
2 Accepted for value, and further Instruction to Release all the  
3 Property to me (Notice of Interest/lien) Before the End of  
4 Business hours, and Quash all future motions, Silent Judgment/  
5 Peremptory Challenge to the entire State court jurisdiction,  
6 under the statue of Fraud. The Constitution for the united  
7 States of America, mentions: **any controversy over \$20 Shall be**  
8 **governed pursuant to the rule of the common law and not Maritime**  
9 **law -**

10 The Respondent Andrew J. Moore could not prevail in state  
11 Court due to the Ex Post Facto Penal Code (Perpetration of Fraud  
12 of Legislature/ Congress who Never Written the Penal Code), and  
13 this City Ordinance is Repugnant to the First Amendment of the  
14 Constitution for the united States of America. To invoke federal  
15 jurisdiction under section 1443, Also the criminal prosecution  
16 is pending in State court, the **defendant has demonstrated that**  
17 **he "is denied or cannot enforce in the courts of such State a**  
18 **right under any law providing for equal rights of a citizen of**  
19 **the United States, or of all person within the Jurisdiction**  
20 **thereof mention in the above".28 U.S.C. Section 1443(1)**  
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**Verification**

I Andrew J. Moore , Foreign African National attest and Declare,  
 I was Denied the Review of the Alleged Verified Criminal  
 Complaint aka Finding of the Court(Tax Assessment of the Close  
 Escrow Account/state court case number listed in the Removal, I  
 further declared an Informal Request for Discovery aka  
**Peremptory Challenge** /Affidavit of Obligation , and 24hrs  
 Challenge under Title 5 566 (d) of Elective Official Bonnie M.  
 DUMMANIS to Display the Burden of Proof , Sign under their full  
 Commercial Liability, under the Penalty of Perjury along with  
 Hazard Bond Number and Address and said exhibit of Claim  
 submitted to Hazard Bond, for it's a Felony if the District  
 Attorney fails to submit a Valid Claim, and Judicial Notice that  
 Elective Official Bonnie M. DUMANIS failed to give full  
 disclosure (1)Freedom of Information Act, Contract of  
 Affrieghtment, under the Gold Fringe Flag of War, Army  
 Regulation 840-10 -and Identified what is the True Name of the  
 Creditor's and who the Debtor's etc.

CAVEAT Judicial Notice to the Chief Clerk of the state Court,  
 who Commercially Dishonoured by Refusal to(Set-off) for Deposit  
 to the Treasury Department in Washington D.C. under my Exemption  
 #I.D. Number, Special Maritime Extra-territory Judicial Claim /  
 Which I Accepted for value, and further Instruction to Release  
 all the Property to me(Notice of Interest/lien) Before the End  
 of Business hours, and Quash all future motions, Silent  
 Judgment/ Peremptory Challenge to the entire State court  
 jurisdiction, under the statue of Fraud. The Constitution for  
 the united States of America, mentions: **any controversy over \$20**

1 Shall be governed pursuant to the rule of the common law and not  
2 Maritime law.

3  
4 Dated: 10/31/07

Respectfully submitted,

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8 Andrew J. Moore, Foreign State National  
9 UCC 1-207.7 "without prejudice"  
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